

**BOARD OF HOME INSPECTORS
MEETING MINUTES
September 12, 2017**

A regular meeting of the Board of Home Inspectors was held at 10200 Linn Station Road in Louisville, Kentucky on September 12, 2017.

MEMBERS PRESENT

Welford “Bud” Wenk
Mitch D. Buchanan
Brian O’Rear

KENTUCKY REAL ESTATE AUTHORITY

Shelly Saffran, Administrative Coordinator
Ryan Morrison, General Counsel

MEMBERS ABSENT

None

GUESTS

Steve Keeney, Esq. (PLI)
Mike Patton, AA Home Inspection
Eric Pohler, Precision Home Inspections KY

CALL TO ORDER

Board Chair Bud Wenk called the meeting to order at 10:04 a.m.

NEW GENERAL COUNSEL

Ryan Morrison, newly appointed Kentucky Real Estate Authority General Counsel, introduced himself.

BOARD MEMBER APPOINTMENT

Michelle Penque was recently appointed to the Board of Home Inspectors, but has since resigned due the time involved with the position.

APPROVAL OF MINUTES

Motion was made and seconded to approve the regular August 8, 2017 meeting minutes. The motion carried.

LICENSURE REPORT (as of 9/12/17)

- Active Licensees – 457
- Inactive Licensees - 5
- Pending Licensees - 6

BOARD CHAIR REPORT

Chair Wenk noted that the Board needs to begin working on statute and regulation changes. He noted that the regulation changes were being worked on by the previous General Counsel and that they need to be on the agenda next month. Chair Wenk asked that lunch be brought in for the next meeting since it will be a longer meeting and they would like to work through lunch.

Chair Wenk noted that a request had been received by the Board from Mr. Michael Green. Mr. Green submitted a request from International Association of Certified Home Inspectors (InterNACHI®) seeking approval of a Kentucky Pre-Licensing Exam by the Kentucky Board of Home Inspectors. After discussing the need for an additional exam, how the exam would be administered, and that the exam would be given online, the board decided that this is not something they want to consider at this time.

BOARD COUNSEL REPORT

General Counsel Morrison said he has been on the job for one week and he has not had a chance to thoroughly review all of the home inspector files. He said he understands the Board was considering what criminal offenses are related to the home inspector profession. He said just because an individual has a crime does not mean they cannot be a home inspector. Mr. Morrison presented the draft guidelines that were discussed at the last Board meeting. After discussing the various types of crimes and how they relate to home inspection, it was decided that General Counsel Morrison will work on proposed language and report back to the Board at the next meeting.

CASE STATUS REPORT

There were no cases on the Agenda for Board action.

BOARD MONTHLY FINANCIAL REPORT

Administrative Coordinator Saffran stated there were no major changes in the financial area. Board Member Mitch Buchanan asked if the financials were being separated by Board. Administrative Saffran responded that the expenditures are being accounted for by each Board and that a percentage of the income of each Board is withdrawn monthly and deposited into the Kentucky Real Estate Authority account. She explained that expenditures for each Board are paid out of the Authority account.

KENTUCKY REAL ESTATE AUTHORITY REPORT

Administrative Coordinator Saffran reported that former Executive Director Ken Warden is no longer with the Kentucky Real Estate Authority. There were questions about the replacement of that position and if the position had been abolished. General Counsel Morrison said the position is set by statute and that Ms. Saffran is the acting Executive Director.

BOARD ADMINISTRATIVE COORDINATOR REPORT

Administrative Coordinator Saffran reported that applicant Eric Pohler was present and had requested to appear before the Board. Chair Wenk recognized Mr. Eric Pohler and asked him to present his request. Mr. Pohler explained that he had failed the national exam three times. Mr. Pohler said he would like a waiver of the requirement to complete and pass the pre-licensing course after failing three

times. He also requested that he be allowed to test immediately, without having to wait another 30 days, as the regulation states. Mr. Pohler said he received his pre-license education from the American Home Inspectors Training Institute (“AHIT”). Mr. Pohler explained that he got extremely anxious. He said he dropped out of college at one point because he struggled with the testing. The board asked General Counsel Morrison if there was a provision in the regulation allowing the board to make an exception to the requirement that Mr. Pohler waits 30 days to test and retake the pre-licensing course. Mr. Morrison said there is no provision in the law for the board to grant his request. The board suggested Mr. Pohler take a prep class to prepare the exam and to inquire about practice exams. Chairman Wenk said the board is very sorry that Mr. Pohler is having test anxiety, but that there is not a provision in the law that allows his request to be granted. Mr. Pohler thanked the board for their time. Mr. Patton asked if the board could go ahead and grant Mr. Pohler a license once he passes the exam. Motion was made to authorize staff to grant Mr. Pohler a license once he presents proof of his completion of his pre-license hours, a passing exam score, and all of the other licensure requirements have been reviewed and approved by staff. The motion carried.

Administrative Coordinator Saffran asked for input from the board members regarding participation in the state fair. Board members said it was difficult to get people to come over to the booth and that many people attending the fair were elderly or children. It was commented that several individuals inquired about licensure and that it is difficult to assess how much success was gained by having a booth at the fair. Board members commented on the professional booth display. Ms. Saffran reported that she had a lot of interest on the weekend shifts from individuals inquiring about a home inspector license.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

There was no new business to discuss.

Chairman Wenk again reiterated that he would like to begin aggressively working on the new regulations at the next meeting.

NEWSLETTER COMMITTEE REPORT

There was no new discussion regarding the Newsletter.

EDUCATION COMMITTEE REPORT

The Education Committee made the following recommendations:

- InterNACHI Continuing Education Course
 - How to Write a Better Home Inspection Report – 3 hours

The recommendation to accept the course listed above was seconded and the motion carried.

APPLICATIONS COMMITTEE REPORT

The Applications Committee recommended the following:

- Five (5) initial applications were reviewed and four were ***approved***. One applicant needed additional paperwork. Committee recommended that once the pre-licensing certificate is received for the one applicant, his application is ***approved***. The recommendation was made and seconded to approve the above applications, pending submission of additional paperwork for one applicant. The motion carried.
- Three (3) renewal applications were reviewed and were ***approved***. The recommendation was made and seconded to approve the three renewal applications. The motion carried.

TRAVEL AND PER DIEM

A motion was made and seconded to approve the travel and per diem for board members attending today's meeting. The motion carried.

NEXT MEETING

The next meeting is scheduled for Tuesday, October 10, 2017, at 10:00 a.m., at the Kentucky Real Estate Commission office at 10200 Linn Station Road in Louisville, KY.

PUBLIC COMMENTS

Mr. Mike Patton, AA Home Inspection, stated he had concerns regarding the requirement for teaching manufactured housing. Chairman Wenk said it will have to remain the way it is now and the board may change it in the future.

Mr. Steve Keeney replied that the requirement of having to take the pre-license course after failing the home inspector exam three times is more forgiving than the original regulation

COMPLAINTS COMMITTEE REPORT

There were no cases on the Agenda for Board action.

ADJOURNMENT

A motion was made and seconded to adjourn the meeting. The motion carried.

Minutes prepared by Administrative Coordinator, Shelly Saffran, on September 12, 2017.